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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,688	08/07/2002	Brian Bennie	201-1003	9309

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EXAMINER

NGUYEN, TAI T

ART UNIT PAPER NUMBER

2632

DATE MAILED: 10/01/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/064,688

Applicant(s)

BENNIE ET AL.

Examiner

Tai T. Nguyen

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 02.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 6 is objected to because of the following informalities: claim 6 depends on itself, it appears that claim 5 depends on claim 5 instead of itself. Appropriate correction is required.

2. Claims 9 and 12 are objected to because of the following informalities:

Regarding claim 9, applicant is required to clarify what intended by "a predetermined numbers of said plurality of pressure status signals being equal."

Regarding claim 12, applicant is required to clarify what intended by "a predetermined number of said pressure status signals being equal within a predetermined time."

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 1 recites the limitation "said wheel" in line 2. There is insufficient antecedent basis for this limitation in the claim.

5. Claims 16-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 16-17, Examiner is wandering how the system generating a second high pressure warning status signal when the pressure status signal is below a low/flat pressure threshold? It appears that claims 16-17 are inconsistent and reversed to claim 15.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Juzswik et al. (US 6,612,165).

Regarding claim 1, Juzswik et al. disclose a similar tire pressure monitoring system (10) for a tire of an automotive vehicle (12) comprising:

a first pressure sensor (20, figure 1) coupled to a wheel (14);

a pressure transmitter having a transmitting antenna (34) for transmitting a pressure signal (figure 1; col. 3, lines 60-64); and

a controller (36) coupled to the pressure transmitter, the controller receiving the pressure signal, comparing the pressure signal to a pressure threshold to obtain a sensor status and qualifying the sensor status signal by generating a warning status to

a first and a second indicators (48, 50) in response to the sensor status (figure 1; col. 3, line 65 through col. 6, line 27).

Regarding claims 2-3, Juzswik et al. disclose the controller qualified the sensor status signal by generating an alert signal to the first indicator (48) indicating a respective tire pressure value is outside predefined range (col. 5, lines 53-65) and also indicating to the vehicle operator the condition of low tire pressure condition (col. 4, lines 48-50).

Regarding claims 4-7, the claimed method steps would have been inherent in the product structure as stated in claims 1-3 above.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 8-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Juzswik et al. (US 6,612,165).

Regarding claim 8, as mentioned in claim 1 above, Juzswik et al. further disclose a receiving antenna (46) coupled to the controller (36) for receiving a plurality signals transmitted from the transmitting antenna (34, col. 4, lines 30-36). It would have been obvious to a person having ordinary skill in the art at the time the invention was

made to know that the transmitting antenna is transmitting a plurality signals to the controller for the purpose of ensuring the accuracy of detecting the tire pressure.

Regarding claims 9-10 and 12, Juzswik et al. also disclose a pressure gauge indicator (50, figure 1). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to recognize that the warning status signal can be displayed by a predetermined number for the purpose of indicating the reading pressure of each monitored tire.

Regarding claim 11, Juzswik et al. disclose the controller qualified the sensor status signal by generating an alert signal to the first indicator (48) indicating a respective tire pressure value is outside predefined range (col. 5, lines 53-65).

Regarding claims 13-14, Juzswik et al. disclose the controller (36) generates an indication (48) in response to the warning status signal, wherein the indication comprises an audible signal or a visual signal (col.4, lines 37-64).

10. Claims 15-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Juzswik et al. (US 6,612,165) in view of Bezek et al. (US 6,278,363).

Regarding claim 15, as mentioned in claim 8 above, Juzswik et al. further disclose the steps generating a first high/low pressure warning status signals in response to the comparing the plurality of pressure signal (col. 4, line 48 through col. 5, lines 65). Juzswik et al. disclose the instant claimed invention except for: the step of generating a first flat pressure warning status signal in response to the pressure status signal. Bezek et al. disclose a similar system for monitoring air pressure of tires on a

Art Unit: 2632

vehicle comprises a processor (26) for generating a flat pressure warning status signal to an indicator (28) in response to a sensed signal transmitted from a pressure sensor (12) to alert a vehicle operator (figure 1; col. 3, line 11 through col. 4, line 13).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to utilize the flat pressure warning status signal as taught by Bezek et al. into the system as disclosed by Juzswik et al. for the purpose of indicating to the vehicle operator all tire pressure conditions (high, low and flat).

Regarding claim 16, Juzswik et al. disclose the step of generating the low pressure warning status signal when the pressure status signal is below the low pressure threshold (col. 4, lines 48-50).

Regarding claim 17, refer to claim 15 above, Bezek et al. disclose the step of generating a first flat pressure warning status signal when the pressure status signal is below the flat pressure threshold (col. 4, lines 8-13).

Regarding claims 18-20, refer to claims 15-17 above.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Young et al. (US 6,453,737); Delaporte (US 6,488,892); Lill (US 6,369,703); Takamura (US 6,275,148); and Ernst (US 5,808,190).

Art Unit: 2632

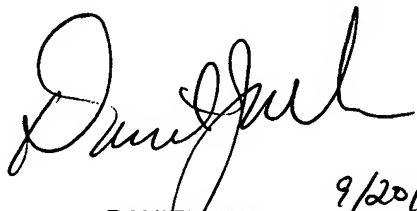
12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tai T. Nguyen whose telephone number is (703) 308-0160. The examiner can normally be reached on Monday-Friday from 7:30am-5:00pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu, can be reached at (703) 308-6730. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Tai T. Nguyen
Examiner
Art Unit 2632

September 10, 2003


9/20/03
DANIEL J. WU
PRIMARY EXAMINER